



JENNER &amp; BLOCK

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**VIA FACSIMILE**

Hon. Judge Laura T. Swain  
United States District Judge  
United States Courthouse  
500 Pearl St., Room 755  
New York, NY 10007

Luke P. McLoughlin  
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Re: *Ognibene v. Schwarz*  
08-CV-1335 (LTS)

**MEMO ENDORSED**

Dear Judge Swain:

We write this letter, pursuant to Your Honor's Individual Practice Rule 1(A), in connection with our representation of persons and entities who seek to file *amici curiae* briefs in the above-referenced matter. Mr. McLoughlin represents candidates for City Council; Mr. Sherwin and Mr. Snyder represent various public interest organizations and good government groups. Our briefs will be in support of Defendants and will be filed not later than seven business days after Defendants file their brief (consistent with Federal Rules of Appellate Procedure 26 & 29).

We seek the Court's permission to proceed to file the briefs, or, in the alternative, if a formal motion is required, to file an unopposed motion concerning the same.

We have contacted counsel for Plaintiffs and they consent to the filing of the briefs and the schedule. Counsel for Defendants consents as well.

Respectfully,

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Permission to file the two *amici curiae* briefs, which shall not exceed 25 pages each in length, is granted. Courtesy copies shall be provided for chambers.

SO ORDERED.

Copies mailed/faxed to  
Chambers of Judge Swain

7/15/08  
LAURA TAYLOR SWAIN  
UNITED STATES DISTRICT JUDGE